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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,707	01/26/2004	Dave Williams	124795-1004	9186
7590	12/16/2005		EXAMINER	
KENNETH T. EMANUELSON GARDERE WYNNE SEWELL LLP 1601 ELM STREET, SUITE 3000 DALLAS, TX 75201			FERGUSON, MICHAEL P	
			ART UNIT	PAPER NUMBER
			3679	

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/764,707	WILLIAMS, DAVE
	Examiner Michael P. Ferguson	Art Unit 3679

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 19 September 2005.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,3,4 and 7-9 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1,3,4 and 7-9 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 26 January 2004 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                     | Paper No(s)/Mail Date. _____ .  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____ .                                  |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,3,4 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Webster, Jr. et al. (US 6,227,516).

As to claim 1, Webster, Jr. et al. disclose a screwless means for attaching a computer drive 13 to a computer chassis 17 comprising:

a computer drive securing clips 33 having a primary flexible tab 33; and

a computer chassis mounting clip 31 having:

a securing pin 39 engageable with a computer drive screw hole; and

a secondary flexible tab 35 configured to releaseably engage the primary flexible tab (Figures 1-3).

As to claim 3, Webster, Jr. et al. disclose a screwless computer drive attachment means further comprising means (formed as a part of the computer chassis) for attaching the computer drive securing clips 33 to the computer chassis 17 (Figure 3).

As to claim 4, Webster, Jr. et al. disclose a screwless means for attaching a computer drive 13 to a computer chassis 17 comprising:

a securing clip 31; and

a clip mounting feature 33, the securing clip having:

two securing pins **39** (two securing clips **31**) configured to fit through holes present on the computer chassis and into standardized screw holes present on the computer drive; and

a primary flexible tab **35** engageable with a secondary flexible tab **33** on the clip mounting feature (Figures 1-3).

As to claim 7, Webster, Jr. et al. disclose a screwless computer drive attachments means further comprising means (formed as a part of the computer chassis) for attaching the clip mounting features **33** to the computer chassis **17** (Figure 3).

As to claim 8, Webster, Jr. et al. disclose a screwless computer drive attachments means wherein the clip mounting features **33** are formed from and as a part of the computer chassis **17** (Figure 3).

As to claim 9, Webster, Jr. et al. disclose a method of assembling a computer drive **13** to a computer chassis **17** comprising the steps of:

positioning a securing clip **31**, the securing clip having a securing pin **39** and a secondary flexible tab **35**, through pin alignment holes present on a computer chassis **17**; and

engaging the secondary flexible tab with a primary flexible tab **33** present on a clip mounting feature **33**, wherein the clip mounting feature is affixed to the computer chassis (Figures 1-3).

3. Claims 1,3,4 and 7-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Francovich et al. (US 5,828,547).

As to claim 1, Francovich et al. disclose a screwless means for attaching a computer drive **92** to a computer chassis **86** comprising:

a computer drive securing clips (between adjacent slots **98**) having a primary flexible tab (between adjacent slots **98**); and

a computer chassis mounting clip **90** having:

a securing pin **94** engageable with a computer drive screw hole; and

a secondary flexible tab **96** configured to releaseably engage the primary flexible tab (Figures 8-11).

As to claim 3, Francovich et al. disclose a screwless computer drive attachment means further comprising means (formed as a part of the computer chassis) for attaching the computer drive securing clips (between adjacent slots **98**) to the computer chassis **86** (Figure 10).

As to claim 4, Francovich et al. disclose a screwless means for attaching a computer drive **92** to a computer chassis **86** comprising:

a securing clip **90**; and

a clip mounting feature (between adjacent slots **98**), the securing clip having:

two securing pins **94** configured to fit through holes present on the computer chassis and into standardized screw holes present on the computer drive; and

a primary flexible tab **96** engageable with a secondary flexible tab (between adjacent slots **98**) on the clip mounting feature (Figures 8-11).

As to claim 7, Francovich et al. disclose a screwless computer drive attachments means further comprising means (formed as a part of the computer chassis) for

attaching the clip mounting features (between adjacent slots **98**) to the computer chassis **86** (Figure 10).

As to claim 8, Francovich et al. disclose a screwless computer drive attachments means wherein the clip mounting features (between adjacent slots **98**) are formed from and as a part of the computer chassis **86** (Figure 10).

As to claim 9, Francovich et al. disclose a method of assembling a computer drive **92** to a computer chassis **86** comprising the steps of:

positioning a securing clip **90**, the securing clip having a securing pin **94** and a secondary flexible tab **96**, through pin alignment holes present on a computer chassis **86**; and

engaging the secondary flexible tab with a primary flexible tab (between adjacent slots **98**) present on a clip mounting feature (between adjacent slots **98**), wherein the clip mounting feature is affixed to the computer chassis (Figures 8-11).

#### ***Response to Arguments***

4. Applicant's arguments with respect to claims 1,3,4 and 7-9 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
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12/07/05



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